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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA – RENO DIVISION

UTHERVERSE, INC., a Nevada corporation,
 BRIAN SHUSTER, an individual,

Plaintiffs,

v.

BRIAN QUINN, an individual; JOSHUA
 DENNE, and individual; BLOCKCHAIN
 FUNDING, INC. a Delaware corporation;
 BLOCKCHAIN ALLIANCE LLC, a
 Wyoming Limited Liability Company;
 MASTERNODE PARTNERS, LLC, a
 Wyoming Limited Liability Company;
 LYNNE MARTIN, an individual; NIYA
 HOLDINGS, LLC, a Nevada limited liability
 company; NIMA MOMAYEZ, an individual;
 and JEREMY ROMA, an individual,

Defendants.

AND RELATED COUNTERCLAIM.

Case No. 3:25-cv-00020-MMD-CSD

**NOTICE OF MOTION AND MOTION TO
 STRIKE AMENDED AFFIRMATIVE
 DEFENSES AND PORTIONS OF
 AMENDED COUNTERCLAIM
 PURSUANT TO FRCP 12(f)**

ORAL ARGUMENT REQUESTED

Complaint Filed: January 10, 2025

Counterclaim Filed: February 28, 2025

Amended Counterclaim Filed: April 27, 2025

Date: TBD

Time: TBD

Courtroom: TBD

Filed Concurrently with Memorandum of
 Points and Authorities and [Proposed] Order

TO: Counterclaimants Brian Quinn (“Quinn”), Joshua Denne (“Denne”), Blockchain Funding, Inc. (“Blockchain Funding”), Blockchain Alliance LLC (“Blockchain Alliance”), Masternode Partners, LLC (“Masternode”), Niya Holdings, LLC (“Niya Holdings”), and Nima Momayez (“Momayez”) (collectively, “Counterclaimants”) and their attorneys of record:

NOTICE IS GIVEN that Counter-Defendants, Uthervse, Inc. (“UI”) Brian Shuster (“Shuster”), Uthervse Digital, Inc. (“UDI”), Peter Gantner (“Gantner”), Nexus Venture LLC (“Nexus”), Ari Good (“Good”), and Gary Shuster (“Gary”; collectively, “Moving Parties”) do and will, on a date and time most convenient for this Court, or as soon thereafter as the matter may be heard, at the Bruce R. Thompson Courthouse located at 400 S. Virginia St., Reno, NV 89501, move for an order striking affirmative defenses in Defendants’ Amended Answer, and portions of Counterclaimants’ Amended Counterclaim in this action, pursuant to Federal Rules of Civil Procedure, Rule 12(f) and applicable law, on the grounds that the affirmative defenses fail to provide fair notice of the issues and portions of the Amended Countercomplaint contain redundant, impertinent and/or scandalous matters.

Specifically, Moving Parties request that this Court strike:

Affirmative Defenses:

Defense 1: “Plaintiffs failed to state a claim against Defendants on which relief can be granted.” This is not an affirmative defense.

Defense 2: “Plaintiffs failed to join indispensable parties.” Indispensable parties are not identified.

Defense 3: “Plaintiffs failed to plead their claims with particularity.” Not an affirmative defense on which evidence will be presented at trial.

Defense 4: “Plaintiffs’ claims are barred by Plaintiffs’ unclean hands.” Lacks specific allegations of misconduct that bar recovery.

Defenses 5, 7, 8, 10, 24 – 28: Lacks specific allegations of misconduct that bar recovery.

Defenses 6, 9, 11 – 20, 31-33: Impertinent.

Defenses 21 – 23, 29, 30: Immaterial.

1 Defense 36: Not an affirmative defense.

2 **Portions of Amended Counterclaim**

3 21:1 – 10 (§§ 4 and 4a-d in their entirety). Immaterial.

4 21:15 (the portion of 21:15 stating “treble damages under California Penal Code § 496(c)).
5 Immaterial.

6 24:9 – 12 (§ 31, in total). Immaterial and impertinent.

7 25:24 – 26 (§ 36, starting after “but now refuses to do so”). Scandalous, immaterial, and
8 impertinent.

9 26:7 – 9 (§ 37, starting after “whatsoever”). Scandalous, immaterial, and impertinent.

10 26:16 – 19 (§ 38, (starting after “whatsoever”). Scandalous, immaterial, and impertinent.

11 27:1 – 3 (§ 39, starting after “whatsoever”). Scandalous, immaterial, and impertinent.

12 27:27 – 28:3 (§ 41, in total). Scandalous, immaterial, and impertinent.

13 28:20 – 23 (§ 44, starting after “past”). Scandalous, immaterial, and impertinent.

14 29:10 – 13 (§ 47, in total). Scandalous, immaterial, and impertinent.

15 30:12 – 20 (§ 54, in total). Immaterial and impertinent.

16 31:3 – 4 (§ 56, starting after “misrepresentations”). Scandalous, immaterial, and impertinent.

17 31:5 – 32:24 (§ 56, portions lettered a-n). Scandalous, immaterial, and impertinent.

18 32:25 – 27 (§ 57, in total). Scandalous, immaterial, and impertinent.

19 36:3 – 18 (§§ 68, 69, in total). Scandalous, immaterial, and impertinent.

20 This motion is based upon this Notice and Motion, the Memorandum of Points and
21 Authorities in support thereof, and on the pleadings, records, and files in this action, and on such
22 further oral and documentary evidence as may be presented at the hearing of the motion.

23 Dated: May 30, 2025

COLEMAN & HOROWITT, LLP

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